

# MANAS

VOLUME III, No. 23

Fifteen Cents

JUNE 7, 1950

## AFTER THE U. C. LOYALTY OATH

ON April 21, 1950, the Board of Regents of the University of California accepted for dealing with the problem of the loyalty oath a compromise procedure which was proposed by a committee of the Alumni Association after consultation with representatives of the faculty. The procedure requires that any faculty member who has not signed the oath will either sign a special contract which contains the statement that the signator is not a Communist Party member, or will appear before the faculty committee on privilege and tenure which shall recommend to the appointing authorities whether the individual should continue in employment. The basis on which the committee's recommendation will be made is the individual's acceptability as a member of the faculty under the Regents' policy barring C.P. members from employment in the University.

With this action the controversy over the loyalty oath has entered a new phase. The nature of the phase is open to question. Many people, both within and outside the University, are of the opinion that the controversy has ended. They reason that the loyalty oath has been withdrawn and the issue, therefore, closed. Others believe, however, that the matter is not finished and that much remains to be done. The controversy over the *oath* is indeed ended. But an understanding of the issues which gave rise to the controversy must be brought about. The possibility of such controversies in the future would thereby be reduced and the damage wrought by the recent controversy and by its "solution" to some extent repaired.

An important reason for disagreement about the present status of the loyalty oath problem is a lack of understanding of causes of the controversy in its initial phases. The purpose of the present article is to furnish some considerations which may help to remove this misunderstanding. The article is, in the writer's opinion, a small part of an effort which must be continued for months, perhaps years. To accomplish our purpose we will examine some of the various reasons why faculty members and the public urged signing or not signing the loyalty oath. (It must be pointed out that this article is not authorized by any official or group. It is not the statement of an official nor an unofficial spokesman, but simply the effort of one professor to state some of the

issues which seem important in this new phase of the loyalty oath question.)

In October, 1940, the Regents of the University of California announced that it would thereafter be their policy to prevent members of the C.P. from holding membership in the faculty of the University. In May of 1949 the Regents declared that this policy would thereafter be implemented by requiring a special oath from University employees. By this oath the signator swears or affirms that he is not a member of the C.P. or any other organization advocating the overthrow of the U.S. government by force or violence.

As is well known, some faculty members signed the oath when it was issued in July, others waited till the announced deadline on Oct. 1, and still others did not sign at all. Matters came to a head in February, 1950, when the Regents declared that every faculty member would sign by April 30 or forfeit his position on the faculty as of June 30. At this point faculty opposition to the oath became practically unanimous. Let us consider the reason for this unanimity first and then consider reasons for faculty opposition to the oath before such opposition became unanimous.

The faculty united against the Regents' position in February when it was apparent that certain members of the faculty, the non-signers, were to lose their positions simply because they refused to sign the oath. Here, at least, it was clear that the issue was not communism. The issue was tenure. By such summary dismissals the procedure of tenure was being violated.

Tenure is the right of faculty members to hold their positions without fear of dismissal on any grounds except moral turpitude. The procedure of tenure requires that an individual prove himself an acceptable member of the faculty by his performance as a scholar and teacher. Once proven, and in fact under certain circumstances during the years in which the individual is proving himself, he is accorded the right of a hearing before a committee composed of his colleagues in any matters pertaining to his continued employment by the University. Eight years' service on the faculty or the rank of associate professor or full professor are accepted as the requirements for having tenure. Although the Regents and the President of the University are the



## Letter from JAPAN

TOKYO.—Two events occurred recently which emphasized the unvarnished fact that a feeling of resentment is heightening against the Occupation. One was the shouting down of a SCAP educational adviser when he attempted to address a group of university students on the subject of throwing Communist-affiliated teachers out of Japan's institutions of higher learning. The other was the voting down by the Diet of a tax bill which bore the open label of SCAP-inspired legislation. It was, of course, the first time such events had ever occurred in postwar Japan, and by chance they took place on the same day (May 2).

The Japanese Occupation is without doubt one of the greatest experiments in the imposition of Western ideology and practices upon an Asian nation which has been thoroughly willing to learn. But as it invariably happens

appointing authorities, in practice they have accepted the recommendations of this faculty committee, called the Committee on Privilege and Tenure.

The purpose of tenure is to safeguard academic freedom. This may provisionally be defined as the freedom to pursue the truth unfettered by the fluctuating demands of political and sectarian influences, and casual personal and public opinion. Since the February action of the Regents threatened the procedure of tenure, it also constituted a blow to academic freedom.

The action of the Regents on April 21 in accepting the procedure proposed by the Alumni Committee apparently answered this unanimously accepted reason for opposition by the faculty to the loyalty oath procedures. It provided a hearing according to the established procedures of tenure for those faculty members who had not signed the oath and who did not wish to sign the special contract which accomplishes the same result as the oath.

We come next to reasons why there had been faculty opposition to the loyalty oath in the first place. Why had many professors and instructors not signed in July, 1949, and why had some not signed at all? I will present only the more important reasons, omitting such arguments as that according to which the requirement of a special oath is an insult to the integrity and dignity of the faculty.

1. It has been urged that the requirement of an oath affirming that the signer is not a communist is a thoroughly ineffective method for implementing a policy of keeping the University free from communist influence. Any communist member of the faculty, if any there be, would not hesitate to sign the oath if it suited his purposes to do so.

Furthermore, accepting the oath as a safeguard or pretending that it is, weakens the only genuine means of protecting the university from political fanatics; namely, the considered judgment of competent colleagues, stemming from their knowledge of the performance of individual teachers. The oath procedure, by producing a

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in the case of one people ruling another, the willingness soon gives way to resentment and in time may develop into hatred. There thus comes a time in all Occupations when it would be to the advantage of the occupiers and the occupied to end their unnatural relationship.

This development of a feeling of resentment among the Japanese people against the long Occupation is, to be sure, unfortunate as it is inevitable. It is particularly unfortunate because Japan among all Asian nations could signify a most successful blending of the East and the West. Assimilation of foreign culture and ways is in many respects a second nature to the Japanese and the result is a Japonified version of the original which could be highly superior if given the right direction.

It was thus that the ancient cultures of India and China were taken in and helped embellish the early Japanese life. The Portuguese and the Dutch in a later period also left their mark upon the Japanese. More recently, the cannons of Commodore Perry's "Black Ships" and the lessons of the grab in Asia by the Western nations taught the Japanese a lesson which they took pains to transpose into an ultranationalistic militarism. The defeat in the late war and the nation's first military occupation have now brought the Japanese face-to-face with a wholesale importation of so-called democratic—chiefly American—ideals, institutions and even customs. But it marked an assimilation by fiat and not by choice—something no people with an independent spirit enjoys. It was no wonder that misunderstanding on both sides should occur—the occupier has wondered why a certain idea cannot be followed exactly as it is done in his country; and the occupied wonders why that idea cannot be changed to suit local conditions.

In preventing the SCAP educational adviser from speaking at the Tohoku University, the Communist students' cell at the university as well as "liberal-minded" students expressed the growing feeling among collegiate and other circles that American interference in the schools is enervating Japanese youths into a blind acceptance of democracy—American-made. So it was that the theory held by the SCAP official on the question of Communist teachers in the nation's universities set off the unruly demonstration. This issue of academic freedom is a subject which deserves to be taken up separately. Suffice it to say here, however, that the Japanese students—while in the wrong for not allowing the SCAP official the freedom of expressing his views before the school audience—do not feel that the situation in the Japanese schools today warrants the dismissal of all Red teachers just because that is being done in some of the universities in the United States.

As for the defeat of a SCAP-sponsored measure for the first time, it represents a reaction to the comparative opulence with which the Occupation is living among the impoverished Japanese. Considerable resentment was felt against SCAP officials for forcing an extremely burdensome tax bill upon them. Of course, it must be pointed out that a tax measure meets with little welcome in any country or any people. But it must be remembered that the Diet did not dare defeat similar legislation in the past. That it has done so now must thus be con-



## A MODERN TRAGEDY

It should be with some trepidation that a reviewer undertakes public commentary on something very recently observed or experienced. The novel read the evening before, the play just witnessed, or the discussion in which one became involved may simply generate verbosity out of highly personal meanderings of thought. In the first place, perspective is hard to obtain on any "cultural" experience in a few short hours or days, and, in the second place, the writer is obliged to realize that his selection of material from the episodes of his daily living is purely on a chance basis so far as the reader is concerned.

If we presently seek indulgence, therefore, for an attempt to essay joint comment concerning a Great Books seminar on St. Augustine and a popular motion picture, it must be with the special pleading that any attempt at synthesis of matters so diverse may have some exemplary meaning in an age of cultural isolation.

The current motion picture, *The Capture*, to our mind fairly represents the current of moral inspiration flowing through "great" Tragedies. And we doubt if either Homer or Shakespeare would be affronted by this suggestion. A Tragedy, in what we conceive to be the classical sense of the term, gives us the story of Everyman, enmeshed in the intricate windings of a network of destiny—of which he is nevertheless, in part, the author. With the single exception of one stereotyped character who may be regretted, *The Capture's* unfolding will stir a deep sense of sympathy for every person concerned in the plot, because all these might be Ourselves.

The story begins with an original sin of thoughtless action, in which the hero reveals his weakness: succumb-

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sidered a definite indication that the Japanese are beginning to rebel against the seemingly unending taking of the bitter pill of defeat and their frustrated existence without a status as a nation given the power and right to guide its own destiny.

The conclusion which must be reached from these and other happenings in recent days is that the time is fast approaching when a peace settlement must be made on Japan. It is to be hoped that the nations of the world will realize this need. Peace-loving people will surely concur because the assimilation of new and peaceful ideas brought to the Japanese after the Surrender will have a better chance of surviving if independence were given to Japan as soon as possible. Without freedom, the irrational forces of ultranationalism—both of the extreme left and the extreme right—will take over and the blending of the East and West in Japan may result in another evil product, reminiscent of the recent past.

JAPANESE CORRESPONDENT

ing to someone else's desire to see him achieve eminence, he apprehends and too hastily shoots a theft suspect. From that moment, his existence as a being of free choice ceases. The "nemesis-destiny" of Homer's *Iliad* binds him ever more tightly, as he is irresistibly drawn to investigate the real nature of the man he killed. This hero is a hero, not simply because he cannot forget the continuing responsibility of his hasty action, but because he chooses to accept its effect on his destiny, inclusive of apparently hopeless entanglements and confusions. And in one sense it might be argued that Niven Busch's drama has improved on Homer—this man finally changes his destiny by fully penetrating and understanding it. His way is not easy, nor fortuitous, and in this the story of *The Capture* differs significantly from many superficial approximations of its theme, as attempted in Hollywood drama. Though one might argue that Homer was more profound, or even more realistic in construing "destiny" as wholly inexorable, must not the stuff of greatest inspiration come from the man who believes that this is almost, but not quite, true?

In any case, a reason for contending that *The Capture* is a truly great motion picture is that it conveys the conviction that all men share Homeric tragedies, which yet may be transcended through overcoming of travail and oppressive complication. For some, *The Capture* may even be an inspiration toward philosophy—philosophy being distinguished from religion in its claim to reach The Good by intelligent penetration of complications, whereas religion seeks Good by trying to leave complications behind.

If by "classic" we refer to a profound Greek faith in the greatness of individual man while he struggles to master his fate, *The Capture* is more classical than *The Confessions of St. Augustine*. Although Augustine was a figure of central importance in the development of both Catholic and Protestant theology, his is a voice quaking before his own past and a trembling one for the future. Not to grapple with but to escape all that confuses, repulses or complicates—this is the Augustinian credo. And to the man of Augustinian religion, concentration is ever upon the Sin itself, rather than upon understanding of its aspects and curious persuasions.

Perhaps a pragmatic approach will serve in an attempt to make this distinction clearer. Augustine, believing that the best that could be done for any man was to enforce his separation from areas of potential sin, became a tyrant who fought heretics with force rather than with reason. Reason he distrusted, because reason led to investigation rather than to relief from the need of tentatively "accepting life" in order to understand. And because he did not "accept life," he was not obliged to accept human beings in terms of their own convictions.

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Issued weekly by the  
MANAS PUBLISHING COMPANY  
P.O. Box 112, El Sereno Station  
LOS ANGELES 32, CALIFORNIA

\$5 a Year

15 cents a Copy

### NO ONE CAN WRITE A REVIEW

IT is not difficult to evaluate, criticize or praise a book or an article or a movie. But a genuine "re-view" should constitute, in our opinion, a new outlook upon whatever experience is potentially present in the material viewed. And such experiences have to be felt—they are not simply seen or heard. So the reader, as well as the commentator, is a determining factor in the matter of whether a "review" actually takes place. If the reader is passive, nothing happens, for his is the threshold which must be crossed—and it cannot be crossed by words, no matter how wise or clever, but only by some deepened insight of his own.

An intelligent society knows how to create value from many sorts of literature. All that a writer can do is furnish material out of which a reader may build something worth-while. That is, this is all the writer can do for the reader, although he may do a great deal for himself, no matter how poorly he writes. The attempt to transmit ideas to others, as has often been remarked, is the best way of all to make the ideas clearer and more effective agents of stimulation and growth for one's own mind.

This general line of reasoning about writing and reading has interesting implications. Perhaps the most important is that our approach to reading needs orientation in a desire to create, from the material presented, something of unique value. The man whose approach to literature is what he calls "artistic" may lose himself in comparison of techniques, whereas content, out of which more ideas may be built, is the core of the writing-reading relationship. There is a sense, of course, in which all good writing must take the form of an artistic expression. That is, since the total experience of the reader—including feeling—is the only final measure, the use of words and phrases in balance, the deft selection of imagery, may help to shape the central ideas for a stimulating re-creation in the reader's mind. But content of basic ideas and intent is the core, and it is this core that we should look for.

If we think that the content is poor, we must, at least in our own minds, learn to know how to put something better in its place. And even if we think the core good, we still must learn how to put, at least in our own minds, something better—which means some added personal insight—in its place.

### REVIEW—(Continued)

The hero of philosophically orientated tragedy, on the other hand, develops a positive conviction towards his fellow men even more important than abstract love: a conviction that the true Righteousness, which flows from knowledge, cannot be enforced, but must grow during the Odyssey of each man's soul. *The Capture*'s hero emerges from trial less likely to hold that interference with another's life and liberty is an inconsequential matter, while the Bishop of Hippo grew ever more sure that interference with unbelievers, even to the point of punishing them, amounted to virtue in the eyes of God.

Augustine had spent many of the years of his life weakly striving to separate the values presumably inspired by God, from the values inspired by the world. The final result was not only his renunciation of "the world," but also a proclamation against any "innate goodness" in man. Augustine could not find the Greatness of Man because he was not courageous. *The Capture*'s hero is wiser. He learns, through courageous effort, a sympathy better than tolerance. In poetic terms, he sees all tangled tragedies in the light of the evolution of the human soul.

We are not here suggesting that all MANAS readers have seen or will see *The Capture*, nor that they will care to read *The Confessions of St. Augustine* by way of participation in a Great Books discussion. But both in the works of those who have helped mold the psychological trends of our time and in an occasional modern creation, we may see, as on the screen, indeed, some of the profound riddles of our own being.

It goes without saying that it is pleasant to compare a modern motion picture with a Great Books classic to the latter's disadvantage. If the editors of MANAS have shown tendencies to worship The Ancients, it is because those ancients who have lived down to our time usually had an inspiration of their own to solve the universal problems, while today we are prone to deny that any problem, save that of temporal security, exists at all. Yet we must also admit that neither the age of a book nor its reputation necessarily enhances its contribution, while the simplest and most ordinary of occurrences in our daily experience—such as the viewing of a motion picture—may help us to better know ourselves.

**MANAS** is a journal of independent inquiry, concerned with study of the principles which move world society on its present course, and with search for contrasting principles—that may be capable of supporting intelligent idealism under the conditions of life in the twentieth century. MANAS is concerned, therefore, with philosophy and with practical psychology, in as direct and simple a manner as its editors and contributors can write. The word "MANAS" comes from a common root suggesting "man" or "the thinker." Editorial articles are unsigned, since MANAS wishes to present ideas and viewpoints, not personalities.

The Publishers

## CHILDREN ... and Ourselves

ROBERT HUTCHINS and other enthusiastic advocates of Great Ideas courses appear to be dealing with "intangible" values, and one might, therefore, expect it to be difficult to convince a presumably practical public that the classical type of education is either necessary or important. On the other hand, the John Dewey school of Progressives is usually represented by the simple formulation, "learn by doing." The latter sounds very logical and scientific, and Progressive schools throughout the country have established enterprises giving children opportunity for practical experiments in responsibility.

The basic argument of the Progressives, however—and it may be stated in thousands of different ways—is this: that a moral sense of responsibility cannot be expected to grow without the stimulation of the child's creative ability. Human beings become concerned about values, say the Progressives, when their participation in social activity drives them to feel a personal need for the establishment of common ethical principles. So, although Hutchins, in talking about metaphysics, is compelled to deal with abstractions, this is no less true with the Progressives—whose leaders, moreover, have never really been as interested in teaching children the mechanics of our present society as they have been in helping each child to accumulate the by-product of intelligent social activity—which they conceive as a *creative ethical sense*.

It is true, as the Progressives say, that we cannot create morality as if we lived in Heaven instead of on earth. No matter how wondrous our Principles, they live only in interrelationships. While we may persuade people to conform to certain social habits, these, at best, can never be more than the husks of moral intelligence. Or, we could say that no one learns how to care more for Truth than for Prestige unless he is placed in a position where he can recognize a specific choice for himself between truth and social approval. While the values of the mind are primary, they can only be cultivated where areas of important decision exist. Therefore, it is possible that many students who have presumably learned to use the tools of thinking at the University of Chicago, have yet to demonstrate readiness to sacrifice for devotion to a specific principle.

It is reasonable to expect that the application of either Dewey's or Hutchins' approach to moral education may become unbalanced. The children in many Progressive schools seem to have too little training in knowing how to discuss and reason about the values they may come to wish to live for, while it is conceivable that some students at Chicago and at St. John's have little acquaintance with practical interrelationships of modern society.

A recent project, successfully carried out by the Quaker students of Wilmington College in Ohio, is of considerable pertinence in developing the case for the Progressives. As reported in the quarterly, *Normal Living*, edited by Mildred Loomis and by Ralph Borsodi, the construction at Wilmington of a new dormitory through

donation of student and faculty labor became a worldwide news item. There is room for much reflection on the subject of why something which could easily be considered a natural enough occurrence should suddenly find itself getting "novelty" billing. As *Normal Living's* contributor writes:

In an abnormal world, the normal is news. So strange is Wilmington's intelligent dormitory-project in our over-specialized, union-dominated world, that it has been praised the world around. Approving items on the "solid learning" at Wilmington have appeared in *Newsweek*, *The Pathfinder*, *Christian Science Monitor*, *The American*, *Reader's Digest*, and hundreds of newspapers across the land. Three Star Extra and Lowell Thomas have saluted the dormitory builders; interviews and dramatizations have been carried on a score of broadcasts.

To the individual who has never lost his independence, all this acclaim is somewhat puzzling. "Why," he asks, "should such a fuss be made over this perfectly natural activity of healthy adults?" But, unfortunately, the modern world's need is re-education in normal living. We trust the reading public will not treat it merely as a novelty, but as a stimulus to self-help in other groups.

The *New York Times* account of the Wilmington project included an imposing picture of the new dormitory and featured the fact that the building is presently worth some two hundred thousand dollars, involves twenty thousand square feet of floor space, forty sleeping rooms, etc., etc. Also noted is the fact that twelve other universities are now trying to promote the same method of securing campus additions. But it seems to us that the most important thing about a building constructed by the Fellows, co-eds, students, faculty and President of a University, is the decision to set aside the sanctified, specialized living of a University population. It is our persuasion that a college professor who lays bricks or pushes a wheelbarrow part-time for a period of two years is going to be a better professor—more understanding of the physical and psychological problems confronting a rather large proportion of our total population.

Of course, learning to do one's own work is an old Quaker custom. The summer work camps of the American Friends Service Committee, begun in 1934, infused a virtually religious meaning into manual labor. While we wish that some of the Quakers had spent as much time dealing with the intricacies of rational analysis as has Dr. Hutchins, we can also wonder if it wouldn't be a good idea for University of Chicago students and faculty to put up a building once in a while.

So, as we have suggested before, the debate between the Essentialists and the Progressives may often be artificial and unnecessary. Most of the grade-school students, the manual arts students of High School, and the "Business-Administration" aspirants of College, could benefit very greatly from the Chicago attempts to stimulate critical reflection. But the liberal arts students would do well to get closer to the world they live in.

We may hopefully expect a greater maturity on the college campuses during the coming years. The age of the average college male has been raised considerably by the war's interruption of the educational process. Many students consequently understand the necessity for combining actual problems with the capacity to establish ethical and social values by careful critical reasoning.



RELIGION

SCIENCE

EDUCATION

# FRONTIERS

## The Role of Pressure Groups

IN theory, the coming of democracy did away with all the old structures and divisions of feudal society. Instead of the few, as Dr. Hutchins has said, "every man is a ruler," under democracy. The doctrine of inborn or hereditary qualifications for authority collapsed with the *ancien régime* in France and the surrender of Cornwallis in North America. Power, in a democracy, belongs to all the people, who have equal authority and equal rights. Thus government of the people becomes possible only through the delegation of power by the people to their chosen representatives.

The actual working of democracy, however, has been somewhat different. Possibly, there is something artificial or incomplete about the conventional definitions of democracy; possibly, the abstract scheme of popular self-government will be applied only when human beings are much further along in the development of intellectual and moral independence. In any event, while the old hierarchies disappeared with the eighteenth century, new groups, hardly mentioned in democratic theory, soon arose to exercise practical control over the processes of government. Most obvious of these groups are the political parties, which derive life from their ability to win and maintain the faith of the people in what they propose to accomplish after they are raised to power.

Numerous other types of groups, unmentioned in democratic theory, exercise enormous influence in the practical affairs of government. These are the "pressure groups." The self-interest of the political party—unless it is a candidly revolutionary party proclaiming its partisanship for the class struggle—is almost always cloaked by the claim of serving *all* the people; not so the pressure groups. A pressure group will frankly represent a microscopically small portion of the population—such as a few manufacturers who want the removal of a burdensome restriction; or it may be a racial or religious minority with special claims upon the government for juster administration of the law. Then there are the hundreds of organized lobbies with offices and staff maintained in Washington, the year around, whose sole end is to further the interests of their employers. The activities of these lobbies have become increasingly notorious in recent years, owing to the scramble for government contracts during the war.

The question of whether or not a democracy can get along without political parties and lobbies may seem like an academic one—we have them, and they are likely to continue—but it is a question which ought to be asked, if only for the implications which it raises. More than one political theorist has lately come to the conclusion that the pressure group is an "organic" part of

practical democracy and that, instead of discouraging them, we should legitimize their role. It is said that a man who does not belong to a powerful pressure group—or even several, for different reasons—will eventually have no one to represent him and his rights, and that the proper solution for this is the formation of organizations to serve his special interests. The late Harold Laski, writing on "The Recovery of Citizenship" (an essay appearing in Laski's *The Dangers of Obedience*, Harper, 1930), worked out a plan for a rather extensive system of advisory councils to assist government, these councils to represent such organizations. Among other accomplishments of this proposed system, he says,

It brings the organized interests of men, their churches, their trade-unions, their chambers of commerce, into a definite relation with central and local governments. It makes it possible for those activities to bear the impress of external opinion by subjecting them to a constant stream of criticism and inquiry. It multiplies, in a word, the sources through which the citizen's personality may be made significant. That, after all, is the purpose of democracy.

Mr. Laski, we were told by an irritated correspondent who wrote us when we last quoted him, used to be something of a "radical." This may be so, but by the time he wrote this essay he had long since taken leave of any sort of radicalism we might be attracted to. The desire to make churches, chambers of commerce and trade unions—all partisans of special outlooks or interests—into organs for increasing the "significance" of the individual citizen seems to us to represent the wrong sort of peace with the status quo; and the wrong way, also, to work for the decentralization of political power—admittedly the chief political need of our time.

What about the man who belongs to no sect or church and wants none to represent him? He, apparently, will be *persona non grata* in Mr. Laski's democratic society. There are also numerous good and useful citizens whose hearts beat not at all for unions and chambers of commerce, and who wish political power and influence to be restricted, as the Constitution implies, to the unorganized people and their elected representatives.

It is not man as church-goer, as man-with-a-union-card, or as store-keeper or manufacturer that the liberal tradition enjoins us to respect, but man as *man*—the being whose interests are *human* rather than commercial, proletarian or religious. American and British liberals have been extremely vocal in their condemnation of the British Empire for obliging the Indians to vote in religious blocs, thus exacerbating the religious differences which finally rent India asunder; and is there any real difference, objectively, between this policy and what Mr. Laski proposes?

There is no denying, however, that Mr. Laski, writing

## AFTER THE U. C. LOYALTY OATH

(Continued)

false sense of security, would weaken the safeguard which has worked for years.

2. There is the constitutional question. The Constitution of the State of California designates the University as a public trust. It further provides, in Article XX, Section 3, that "no other oath, declaration or test [than the standard oath to support the Constitution of the State and the United States] shall be required as qualifi-

twenty years ago, had his ear to the ground and his finger on the pulse of the times. In the *Nation* for May 13, Carey McWilliams documents the increase of influence of this sort of hierarchy in American affairs, and while it is not being exercised through official political channels, the effects are apparently far-reaching. Mr. McWilliams describes the work of the lay Catholic movement known as The Christophers, whose avowed purpose is to weed out materialists and "subversives" from positions of influence in society, replacing them with "healthy-minded Americans," preferably Christophers. The Christophers are already making themselves felt in Hollywood. According to an article in the motion picture press, the endeavor of the Christophers to be "Christ-bearers" to the movies, as Mr. McWilliams puts it, "seems to mean, first of all, getting your team in and the other team out." He continues:

For example, if a whispering campaign is launched by heretics against, say, the picture "Joan of Arc," Christophers will promptly launch a whispering campaign against those whom they call, quite specifically, "leftists." Mr. Mooring [who writes about the Christophers in the trade press] says that the Christophers seek "to bring Christ into the making of motion pictures." But apparently this means exerting pressure to induce producers to make certain films and not to make others. In plain words, it means getting Loretta Young and other Christophers to use their influence to persuade one of the studios to make a film called "Come to the Stable," based on an original screen story by Clare Boothe Luce. . . .

While there is nothing improper about this display of zeal, it gives rise to certain problems. In the first place, for some time now movements of the "right" have not been balanced by movements of the "left." It may be recalled in this connection that the House Committee on Un-American Activities so thoroughly investigated the "infiltration" of leftist propaganda into the making of motion pictures that today a film like "The Grapes of Wrath" would be regarded as highly subversive. In the second place, the Protestants, the Mormons, the Theosophists, the Christian Scientists, and the Mohammedans will soon be driven to organize *their* "movements," unless they want the Christophers to become the dominant ideological influence in the making of motion pictures.

That the Protestants are already moving in this direction is plain from articles in the *Christian Century*. The other groups mentioned are inactive, so far as we know, and if they have any respect for the spirit of the Bill of Rights, if not its letter, they will remain so. Meanwhile, we have an inkling, from Mr. McWilliams' report, of what might be expected, in the way of jockeying for position, from churches, unions, and chambers of commerce, were Mr. Laski's plan for "supplementary democracy" to be adopted.

fication for any office or public trust." Since all faculty members willingly subscribe to the standard oath, it has been felt that in requiring a special oath the Regents did not heed this provision. Furthermore, the requirement of the special oath violates the injunctions of Article IX, Section 9 of the State Constitution which requires that the Regents keep the University free from political and sectarian influences. It also seems to violate the provisions of the 14th Amendment to the federal Constitution by restricting freedom of political affiliations.

The constitutional issue is, of course, closely connected with the argument that the special oath threatened academic freedom. By instituting a political requirement for employment, the Regents were subjecting the faculty to precisely the fluctuations of public opinion which make the pursuit of truth and its declaration fearlessly, openly and without favoritism impossible. Since it is well known that communists masquerade under many names, the use of political tests in determining fitness for university service has logically to be extended to include organizations other than the C.P. The way is opened to make membership in *any* political group a bar to employment.

3. Finally, many held that the most important reason for opposition to the special oath is that it stems from a procedure which contradicts two basic principles of our society. The procedure on which the use of political oaths is founded is that according to which the guilt, innocence and ability of a person are judged by association. The two principles of our society which this procedure would destroy are the principle of judging a person by his individual performance, and the principle according to which universities have the function of seeking and disseminating the truth.

By instituting political requirements for professional positions (or any position, for that matter), we adopt the technique of assessing people *en masse* and not as individuals. This is a technique by which millions have died and are dying in Europe and Asia. When this technique is applied to faculty employment, it jeopardizes the function of the university in two ways. It places professors in the position of being unable to pursue the truth wherever it may lead for fear that they will thereby lose their jobs. And it limits the selection of new faculty members because it requires that a man be selected by reason of his political affiliations rather than his abilities as a scholar and teacher.

It may now be observed that in the eyes of those opposed to the oath, the issue was *not* communism. In various resolutions, voted in by the faculty with overwhelming majorities, the faculty expressed its concurrence with the Regents' policy of opposing communism and safeguarding academic freedom. Faculty opposition was directed toward the means introduced for implementing this policy. The core of the oppositional arguments has been that, since you cannot divorce means from ends, if you employ such means as political tests you will not obtain the goals of academic freedom and of our society.

In view of these considerations, why did some faculty

members sign the special oath without hesitation and others eventually? Some of the reasons of the early signers are as follows. Signing the oath will show willingness to reaffirm the faculty's loyalty in the eyes of the public. It will allay public fears about possible communist infiltration in the University. Furthermore, the Regents have had a policy excluding C.P. members from the University for 9 years. Therefore, why not sign the oath? Finally, I am not a C.P. member. Furthermore, I hate communism. Therefore, why not sign the oath?

What about those professors who did not sign until Oct. 1, the time announced by the Regents for doing so? We have to point out that contracts for the year 1949-50 were not issued until the oath was completed. Technically, all non-signers were unemployed though they were carrying on their customary work. There was no guarantee that employment would continue if they did not sign. In the face of this, many professors completed the oath because they balanced the value of opposing it with their responsibilities to families and the need and desire for security. It required a strong will and clear insight not to sign in these circumstances. I know. I was in that position. I have subsequently regretted deeply that I signed.

Careful consideration of the reasoning of the early signers seems to indicate that it was based on a misunderstanding. Apparently these signers and most of the public who eventually became aware of the loyalty oath thought the issues involved were communism and faculty loyalty. We do not want communists on the faculty. I am not a communist. Hence, the oath is a fine thing. As it turned out, however, the use of the oath would do no good. More importantly, its use threatened academic freedom and the role of the University in our society, both of which are easily taken for granted because we are accustomed to them. These were the issues.

It seems equally evident that the reasoning of the eventual signers was based on a lack of understanding. We failed to see that "eternal vigilance is the price of liberty." At least some of us did not recognize that the kind of security we cherish depends upon accepting certain obligations. One of these is a clear understanding of the workings of our society. Another is the maintenance of a constant guard by every individual against developments which will destroy that society. The bare fact is that the use of political tests with all their machinery of spying and judging people in groups constitutes such a development. Accept these and your security becomes the security of slaves.

Perhaps it was a mistake to allow the Regents' policy

of 1940 to go unquestioned. Some faculty members, those who thought much about it, believed that they could accept it without agreeing with it and the less said the better. But when an oath embodying a political test was required, it was evident that the issue had gone beyond mere implicit acceptance of a dangerous policy. Hence, the controversy.

Now despite the efforts of some, the political requirement has been accepted explicitly. Every new professor who takes a position at the University has to submit to that requirement and without the right of hearing. Thus, there are members of the faculty who believe that if the University is to be preserved as a university and to perform its role in our society, a great effort must be made to clarify the issues of the loyalty oath, even though the oath has been rescinded. The issues are academic freedom and the role of a university in a democratic society.

These men believe that a battle has been lost, but not a war. The effects which may result from the political test now in use at the University must be carefully observed. Care must be taken to prevent a procedure which is, in principle, at the very least, an abridgment of freedom from producing consequences which everyone connected with the University wishes to avoid.

We must be aware of the fact that by assigning to the Committee on Privilege and Tenure the role of ascertaining a professor's political fitness, we are instituting an extraordinary procedure. Checking affiliations is in the present world-situation a police function. Aside from the fact that committees on privilege and tenure are not equipped to exercise this function, we must see that the University may be opening the way to disastrous activities by giving any committee this function.

The writer believes that few people do things maliciously. The regrettable situation in which the University of California now finds itself must not be regarded as a result of bad faith or ill-will, though certainly we must be on our guard against these. Irrespective of the multitude of motives and causes involved, the bald fact remains: in the political requirement for a teaching position, we of the University have adopted a procedure which is in opposition to fundamental procedures of a free society. It does little good to claim that it is a minor political requirement or that these are strenuous times and it is only the C.P. against which the discrimination is effected. The fact remains that in a society built on the premise that political or sectarian requirements for employment are undesirable, we have introduced a political requirement. Regardless of the way in which this came about, the possible disastrous effects must be guarded against.

This is not a polemical stand. Were any party to the recent controversy to seek retribution for real or imagined wrongs done, we would all sink further into a trap which most of us have unwittingly prepared. On the other hand, to forget the issues and believe the matter settled is to lapse once more into that state of unawareness which is an important reason why some people can become the slaves of others.

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